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**Smith-Hill and Bedell, P.C.**

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**Daniel J. Bedell**

**FACSIMILE COVER SHEET**

To: Hanh N. Nguyen  
Art Unit 2662

From: Daniel J. Bedell

Firm: US PATENT AND  
TRADEMARK OFFICE

Date: September 9, 2004

Fax: 1-703-872-9306

Our ref: TUT 3096

Your ref: 09/766,932

Pages: Cover + 2

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Y. Brian CHEN

Art Unit: 2662

Application No: 09/766,932

Examiner:  
Hanh N. Nguyen

Filed: January 22, 2001

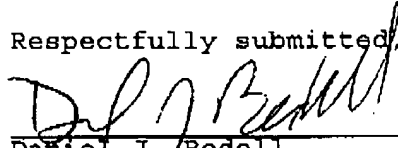
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Sir:

Transmitted herewith is a power of attorney. Please record  
007812 as the Customer Number for this application.

In accordance with the instructions in the power of attorney,  
please direct all future correspondence to the correspondence address  
associated with Customer Number 007812.

Respectfully submitted,

  
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TUT 3096

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Art Unit: 2662

Y. Brian CHEN

Examiner:  
Hanh N. Nguyen

Application No: 09/766,932

Filed: January 22, 2001

For: CUSTOMER PREMISES EQUIPMENT USE IN  
MULTIMEDIA BROADBAND TELECOMMUNICATIONCERTIFICATE UNDER 37 CFR 3.73(b)  
POWER OF ATTORNEY BY ASSIGNEE

TUT SYSTEMS INC., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the U.S. patent application identified above by virtue of an assignment from the inventor(s) (Y. Brian Chen) to Viagate Technologies, Inc. recorded January 22, 2001 at Reel 011494, Frame 0468 and from Viagate Technologies, Inc. to Tut Systems, Inc. by virtue of the asset purchase agreement dated September 14, 2001 recorded February 17, 2004 at Reel 014983, Frame 0710.

The undersigned declares that he is an officer of TUT SYSTEMS, INC. and is authorized to sign this certificate on behalf of TUT SYSTEMS, INC.; and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Sec. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

TUT SYSTEMS, INC. as Assignee of the entire right, title, and interest in and to this U.S. patent application, hereby revokes any previous Powers of Attorney and appoints the practitioners associated with Customer Number 007812 (John Smith-Hill, Reg. No. 27,730 and Daniel J. Bedell, Reg. No. 30,156) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent.

Send correspondence to the correspondence address associated with Customer Number 007812.

TUT SYSTEMS, INC.

By: C.H. Van DusenName: C.H. VAN DUSENTitle: VP & CTODate: SEPT 1, 2004